

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STEVEN MABLE, <i>et al.</i> ,	:	CIVIL NO: 3:10-CV-01214
	:	
Plaintiffs	:	
	:	(Judge Caputo)
v.	:	
	:	(Magistrate Judge Smyser)
JEFFREY A. BEARD, <i>et al.</i> ,	:	
	:	
Defendants	:	

**REPORT AND RECOMMENDATION**

On June 8, 2010, the plaintiffs, thirteen prisoners proceeding *pro se*, commenced this action by filing a complaint. The plaintiffs claim that the defendants are violating the Eighth Amendment by keeping lights on in the Restricted Housing Unit of the State Correctional Institution at Dallas twenty-four hours a day.

Along with the complaint, one of the thirteen plaintiffs filed an application to proceed *in forma pauperis*. However, that plaintiff did not submit the forms required by this Court. By an Administrative Order filed on June 11, 2010, the Clerk of Court directed each of the plaintiffs to either pay the filing fee or file the proper *in forma pauperis* forms within thirty days. The Administrative Order warned the

plaintiffs that those plaintiffs who do not complete and return the required forms will be dismissed from the case.

Only seven of the thirteen plaintiffs complied with the Administrative Order and filed the required *in forma pauperis* forms. By a separate order, we granted the applications to proceed *in forma pauperis* of the seven plaintiffs (Steven Mable, Davon Hayes, Richard Hammonds, Thurston Simmons, Terrell Owens, Carrington Alan Keys and Lamont Bullock) who filed the required forms.

It is recommended that the six plaintiffs (Tyrone Green, Rysheim Lawson, David Hayes, Brian Jackson, Nazir Williams and Nathaniel Hathorn) who did not file the required *in forma pauperis* forms be dismissed from the case and that the case be remanded to the undersigned for further proceedings.

**/s/ J. Andrew Smyser**

J. Andrew Smyser  
Magistrate Judge

Dated: July 30, 2010.